

EMPLOYER LABOR CONDITION STATEMENT

Hiring Department : _____

H-1B Applicant Name : _____

Position Title : _____

The U.S. Department of Labor has specific requirements that an organization must meet under the terms of a petition for H-1B status for a nonimmigrant employee. The signature of the designated representative of the Office of Human Resources on the Labor Condition Application denotes a declaration under the penalty of perjury that the information Prairie view A&M University provides is true and correct and that the university will comply with the regulations governing the employment of a foreign national.

The responsibility of compliance with specific terms of a labor condition application resides with the employing department. It is for this reason that the department's hiring official is required to understand his or her obligations as listed below and sign on the line provided as a declaration of compliance with the regulations with regard to the foreign national employee named above.

DECLARATION OF EMPLOYER

The department will comply with the following regulations during the petition process and during the employment of the above named foreign national under the terms of the petition for H-1B status:

- The department will pay the foreign national at least the salary paid to other Prairie View A&M University employees with similar experience and qualifications in the same occupation or the prevailing wage for the occupation as determined by the Texas Workforce Commission, whichever is higher.
- The employment of an H-1B nonimmigrant will not adversely affect the working conditions of employees similarly employed in the area of intended employment.
- The department has allocated funds for the payment of the foreign national's salary for the duration of his/her employment under the terms of the petition.
- The department will request that the Office of Human Resources file an amended petition should the terms of employment change during the appointment period of the H-1B.
- The department agrees to pay the reasonable cost of the foreign national's return trip to his/her country should he/she be terminated before the expiration of the employment period approved by Homeland Security's Department of Citizenship and Immigration Services.

Any misrepresentation of facts or the employer's failure to comply with the H-1B regulations may result in the following: (1) Assessment of back pay for the foreign national and/or other employees in the occupational classification. (2) Maximum fine for each violation. (3) Imposition of other appropriate administrative remedies. (4) Suspension of Prairie View A&M University's filing of labor condition applications and visa petitions for one year. (5) Federal criminal penalties for knowing and willful submission of false statements to the Federal Government of \$10,000.00 and/or imprisonment of up to 5 years.

Department Head or Hiring Authority

Printed Name & Title: _____

Signature: _____ Date: _____

Dean or Hiring Authority

Printed Name & Title: _____

Signature: _____ Date: _____